

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

December 12, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF :08od-148

Oahu

Amendment of Grant of Easement bearing Land Office Deed No. 27464 to
Chevron U.S.A. Inc. for a Brine Water Discharge Pipe Purposes;
Honouliuli, Ewa, Oahu, Tax Map Key (1) 9-1-014: seaward of 010.

BACKGROUND:

The subject perpetual, non-exclusive easement was approved by the Board on May 27, 1983 and Land Office Deed No. (LOD) 27464 was issued to the grantee subsequently. The existing agreement covers a strip of land two (2) feet wide with a total area of 260 square feet. The grantee paid the consideration of the easement for a lump sum payment of \$130.

A recent shoreline survey reveals that the existing brine water discharge pipeline is located outside of the easement area. The grantee now requests an amendment of LOD 27464 to include the additional area. According to the latest survey map attached to Exhibit A, the width of the easement is actually four (4) feet wide occupying an area of 520 square feet, i.e. twice the easement area of LOD 27464. According to the consultant for the grantee, since the easement commenced in 1984, the area was 520 square feet.

Department of Planning and Permitting, State Historic Preservation Division, Department of Facilities Maintenance, Board of Water Supply, Division of Aquatic Resources, and Office of Conservation and Coastal Lands have no objections/comments to the subject request. The Department of Health, Commission on Water Resource Management, and Office of Hawaiian Affairs have not submitted any response as of the suspense date.

The grantee is in compliance with the terms and conditions of LOD 27464. Staff recommends the Board authorize the requested amendment subject to a payment of \$130, due to the doubling easement area, plus other applicable document and map fees.


Further, the consideration amount shown on LOD 27464 is \$1.00 which does not represent the consideration of \$130 actually paid by grantee in 1984. There is a

receipt in the file confirming the grantee paid \$130 toward the consideration for the subject easement. For record purposes, staff recommends the Board authorize an amendment of LOD 27464 to correctly reflect the consideration paid by the grantee.

RECOMMENDATION: That the Board authorize the amendment of Grant of Easement bearing Land Office Deed No. 27464 to Chevron U.S.A. Inc. subject to the following:

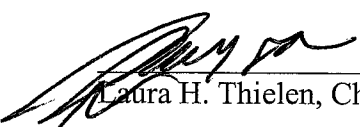
- A. Revise the consideration mentioned in LOD 27464 dated January 7, 1985 to \$130;
- B. Payment of additional consideration in an amount of \$130;
- C. Review and approval by the Department of the Attorney General;
and
- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



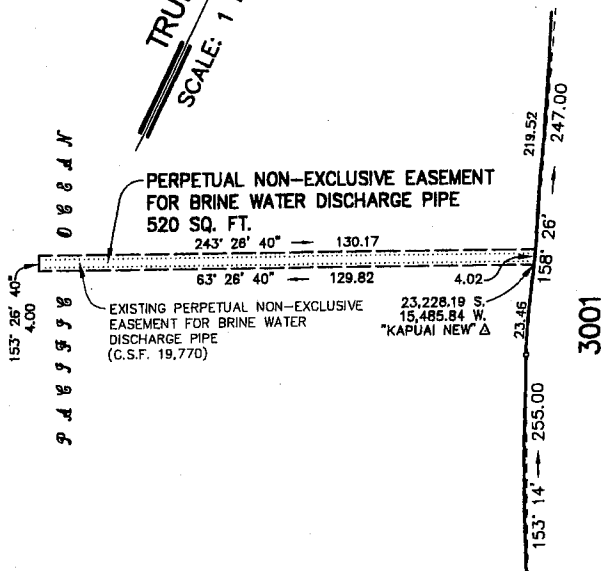
Timothy Chee
Land Agent

APPROVED FOR SUBMITTAL:

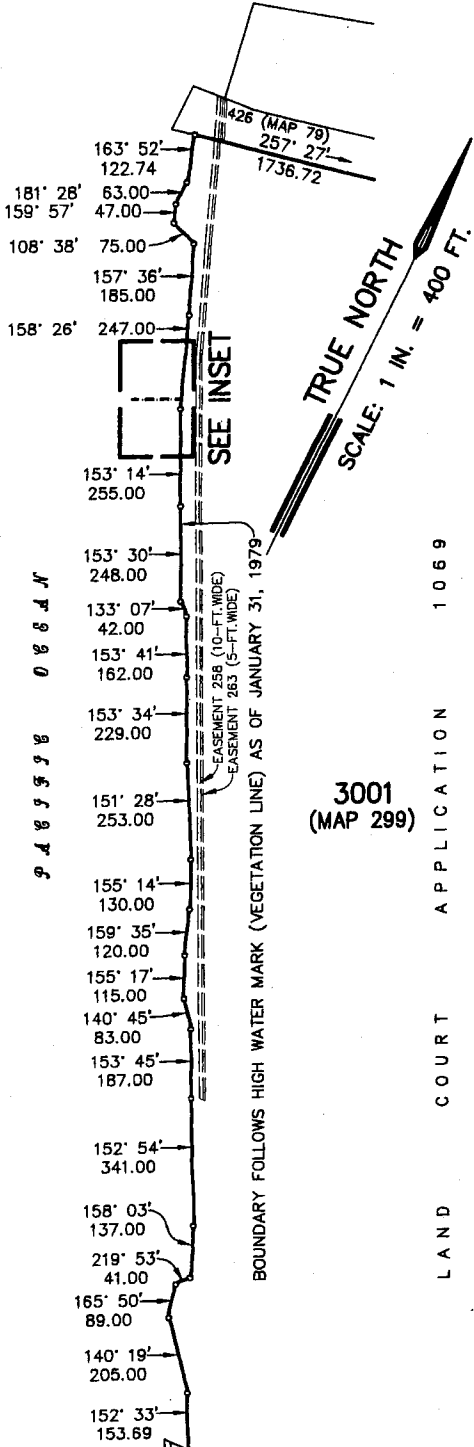


Laura H. Thielen, Chairperson

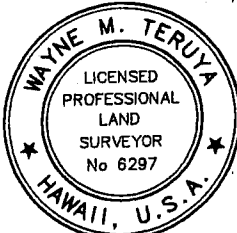
TRUE NORTH
SCALE: 1 IN. = 40 FT.



INSET
SCALE: 1 IN. = 40 FT.



**PERPETUAL NON-EXCLUSIVE EASEMENT
FOR BRINE WATER DISCHARGE PIPE
SITUATED IN THE OFFSHORE
WATERS OF HONOLULU
AT HONOLULU, EWA, OAHU, HAWAII**



Par En, Inc.
dba PARK ENGINEERING

Wayne M. Teruya
LICENSED PROFESSIONAL SURVEYOR
CERTIFICATE NUMBER 6297

DATE: JULY 9, 2008

PAREN, INC.
DBA PARK ENGINEERING

EXHIBIT "A"

LIB: PRIVATE\LANDMAPS\CHEVRON ESMT

TAV MAD KEY: 0-1-14